

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB0920
By Womack

AN ACT to repeal Tennessee Code Annotated, Section 49-8-701,
and to amend Tennessee Code Annotated, Title 68,
Chapter 102, relative to the creation and funding of a State
Fire Service Academy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-8-701, is hereby repealed in its
entirety.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 102, Part 1, is amended by
adding the following language as a new, appropriately designated section:

Section 68-102-1__.

(a) There is hereby established a state institution to be known as the Tennessee
Fire Service and Codes Enforcement Academy within the department of commerce and
insurance.

(b) All positions, and all tangible assets, excluding real property, previously
administered by the board of regents for the institution originally created by Tennessee
Code Annotated, Section 49-8-701, are hereby transferred to the department of
commerce and insurance.

(c)(1) All employees currently assigned duties for the Tennessee state fire college, and working under the administration of the board of regents are transferred to the department of commerce and insurance and shall be granted "career employee" status with no probationary period; provided, however, the provisions of subdivision (c)(1) shall not apply to the director of any school where such employees are currently assigned.

(d) The institution shall be under the direction of the commissioner of commerce and insurance and shall be assigned to the division of fire prevention under the supervision of the state fire marshal. The commissioner shall provide adequate staff to serve the needs of the volunteer, career, paid-on-call, and other firefighters and code enforcement officials of the cities, counties, and other governmental entities of the state of Tennessee. The commissioner of commerce and insurance shall develop a suitable curriculum which effectuates the purposes stated in subsection (e).

(e) The purpose of the fire service and codes enforcement academy shall be to provide effective training to all firefighters (volunteer and career), fire and building code enforcement personnel, and other related service professionals in the state of Tennessee. The academy shall be charged with teaching current methods and practices, as well as the development of new methods and practices in the fields of firefighting, fire and building code enforcement, fire prevention, public fire safety education, fire investigation, and related subjects.

SECTION 3. The commissioner of commerce and insurance, with the support of the department of finance and administration, shall locate a suitable site and construct a state-of-the-art fire and codes enforcement training facility, centrally located in the state with dormitories, eating facilities, classrooms, labs, office space, and other such accommodations as are necessary. The cost of this new fire and codes enforcement training facility shall be paid from the sale of general obligation bonds issued by the state of Tennessee. Annual operating costs of the facility shall be paid from the fire prevention fund.

SECTION 4. Tennessee Code Annotated, Section 68-102-142, is amended by deleting the following language from the second sentence thereof and by substituting instead a period (.):

, and the payment out of such fund for the expenses and maintenance of such division shall be made only on the warrant of the commissioner of commerce and insurance, and any and all moneys on hand in this division at the end of each fiscal year shall be turned into the general fund of the state; provided, that this state shall in no way be liable for the salaries or expenses of the fire prevention division other than the fund as herein provided for such purposes.

SECTION 5. Tennessee Code Annotated, Section 68-102-142, is further amended by designating the existing language as subsection (a) and by adding the following language as new subsections thereto:

(b) All moneys, fees, and other revenues collected by or for the division of fire prevention shall be deposited in the state treasury in the "Fire Prevention Fund".

(c) Disbursements from such fund shall be made solely for the purpose of defraying expenses incurred in the operation of the division of fire prevention.

(d) Any part of the "Fire Prevention Fund" remaining at the end of a fiscal year shall not revert to the general fund, but shall be carried forward until expended in accordance with the provisions for which the fund was created.

SECTION 6. The Tennessee Code Commission is hereby directed to make appropriate editorial changes through Tennessee Code Annotated to effect the implementation of this act.

SECTION 7. All rules, regulations, orders and decisions heretofore issued or promulgated by the Tennessee board of regents with respect to the Tennessee state fire college shall remain in full force and effect and shall hereafter be administered and enforced by the department of commerce and insurance. The department of commerce and insurance, division of fire prevention is authorized to promulgate such rules and regulations, in accordance with the Uniform Administrative Procedures Act, compiled at Tennessee Code Annotated, Title

4, Chapter 5, as are necessary for the efficient operation of the academy, including but not limited to, administration, operation, curriculum, conduct, attendance, fees, and related items.

SECTION 8. This act shall take effect on July 1, 1995, the public welfare requiring it.